REMARKS

[0003] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-33 are presently pending. Claims amended herein are 13, 17 and 33. No claims are withdrawn, cancelled or added herein.

Formal Request for an Interview

[0004] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0005] Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

Claim Amendments

[0006] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 13, 17 and 33 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and more quickly identify allowable subject matter. Such amendments are merely intended to clarify

the claimed features, and should not be construed as further limiting the claimed invention in response to the cited references.

[0007] Support for the amendments to claims 13, 17 and 33 is found in the specification at least at paragraphs [0026], [0030]-[0031], [0035], [0037] [0039], [0045] and [0048] as well as in the claims as originally filed.

Substantive Matters

Claim Rejections under § 103

[0008] The Examiner rejects claims 1-33 under § 103. For the reasons set forth below, the Examiner has not made a prima facie case showing that the rejected claims are obvious.

[0009] Accordingly, Applicant respectfully requests that the § 103 rejections be withdrawn and the case be passed along to issuance.

[0010] The Examiner's rejections are based upon the following references alone or in combination:

- **Stickler:** *Stickler,* US Patent Application Publication No. 2003/0097365 (Published May 22, 2003);
- **Darugar:** *Darugar,* US Patent Application Publication No. 2003/0018661 (Published January 23, 2003); and
- **Ingersoll:** *Ingersoll, et al.*, US Patent Application Publication No. 2004/0025117 (Published February 5, 2004).

Overview of the Application

[0011] The Application describes a technology for a versionable schema that is both backward-compatible and forward-compatibleand able to receive data expected by multiple versions of the schema; tolerates the absence of optional data, in accordance with other versions, and accepts

wildcard data in accordance with still further versions. Thus, a message may be validated by the versionable schema (Application, Abstract).

Cited References

[0012] The Examiner cites Stickler as the primary reference in the obviousness-based rejections. The Examiner cites Darugar and Ingersoll as secondary references in the obviousness-based rejections.

Stickler

[0013] Stickler describes a technology for versioning information stored as metadata associated with data entities (Stickler, Abstract).

Darugar

[0014] Darugar describes a technology for mapping of elements from a first XML format to a second XML format using an interface that allows a user to associate elements from the first format to the second format (Darugar, Abstract).

Ingersoll

[0015] Ingersoll describes a technology for registry driven transformation of a document exchanged between businesses or applications (Ingersoll, Abstract).

Obviousness Rejections

Lack of *Prima Facie* Case of Obviousness (MPEP § 2142)

[0016] Applicant disagrees with the Examiner's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that all of the criteria set forth for making a prima facie case have not been met.

Based upon Stickler, Darugar and Ingersoll

[0017] The Examiner rejects claims 1-33 under 35 U.S.C. § 103(a) as being unpatentable over Stickler in further view of Darugar in further combination with Ingersoll. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

Independent Claim 1

[0018] Applicant submits that the combination of Stickler, Darugar and Ingersoll does not teach or suggest at least the following elements as recited in this claim (in part, with emphasis added):

- "at least one optional data member to render the received data functional within the current version of the data structure *when optional data is absent from the received data*"

- "at least one construct to render the received data functional within the current version of the data structure *when the received data includes wildcard data that is* ***not specified by the current version of the data structure***"

- "wherein, the at least one optional data member and the at least one construct of the data structure are for receiving data formatted in accordance with the first version and for *presenting the received data in an arrangement defined by the data structure for validation by the device using the current version*"

[0019] The Examiner indicates (Action, p. 3) the following with regard to this claim:

the data

structure, comprising: at least one optional data member to render received data functional within the current version of the data structure when optional data is absent from the received data (paragraphs 0009 and 0011, Stickler); and at least one construct to render the received data functional within the current version of the data structure when the received data includes wildcard data that is not specified by the current version of the data structure (paragraphs 0060 and 0149 – 0150, Stickler) *wherein atleast one optional data member and the at least one construct of the data structure are for receiving data formatted in accordance with the first version and for presenting the received data in an arrangement defined by the data structure for validation by the device using current version (paragraphs 90, 105 and 150 – 151, Stickler).*

Stickler does not explicitly disclose the validation and the formatting explicitly as claimed.

Darugar however teaches the validation and the formatted data as claimed in paragraph 3 and paragraphs 6 – 7, Darugar.

Stickler and Darugar do not explicitly explain the wildcard searches in detail.

However, Ingersoll teaches the wildcard searches between different versions and its identifiers in paragraphs 30 and 31.

[0020] However, the Applicant asserts that the combination of Stickler, Darugar and Ingersoll does not teach or suggest, for example, "at least one optional data member to render the received data functional within the current version of the data structure when optional data is absent from the received data" as recited in this claim. As shown above, the Examiner relies

on Stickler for these claimed features, and cites Stickler, paragraphs [0009] and [0011]. These paragraphs are shown here for convenience:

> [0009] Advantageously, the identification provided by the metadata of the at least one entity corresponds to an indication of an editorial sequence or release comprising those entities within its scope each of which include metadata defining a position or version with the sequence. Preferably, where a relationship exists between one or more such editorial sequences, then a further entity indicative of a different release will contain within its metadata an indication of the source of that release. Such an indication may identify a particular revision within another release. Thus, the system seeks to overcome a difficult present in known tree-based versioning models namely their inability to explicitly define relationships between different releases.
>
> [0011] Such a method may be implemented on any suitable platform with any suitable environment including a network comprising mobile and/or fixed elements. By defining versioning information within metadata, it permits the generation of a versioning model suited to a particular agent or user request. Thus, by way of example, a tree-based versioning model may be generated from the metadata albeit with explicit definition of the relationships between releases. It will, of course, be apparent to those skilled in the art that other versioning models may be generated.

[0021] As shown above, Stickler suggests that identification provided by metadata of at least one entity corresponds to an indication of an editorial sequence or release comprising those entities within its scope,

each of which include metadata defining a position or version with the sequence (Stickler, ¶ [0009]).

[0022] The Applicant asserts that metadata that describes a sequence, release, position or scope of an entity is not analogous to any "optional data member to render the received data functional within the current version … when optional data is **absent** from the received data", as recited in this claim, because the metadata suggested by Stickler is not "absent" but provides additional information pertaining to an associated entity. Stickler also suggests, as shown above, that by defining versioning information within metadata, it permits the generation of a versioning model suited to a particular agent or user request (Stickler, ¶ [0010]). This generation of a versioning model, for example, as suggested by Stickler is not analogous to rendering "received data functional within the current version … when optional data is absent" because Stickler does not suggest that any absence of data facilitates the generation of the versioning model. Thus, Stickler does not teach or suggest the features of rendering "the received data functional within the current version" as recited in this claim.

[0023] As another example, the combination of Stickler, Darugar and Ingersoll does not teach or suggest "at least one construct to render the received data functional within the current version of the data structure when the received data includes **wildcard data that is not specified by the current version of the data structure**" as recited in this claim (with emphasis added). Regarding these claim features, the Examiner indicates (Action, p. 3, shown above) that Stickler and Darugar do not explicitly

explain the wildcard searches in detail, and cites Ingersoll, paragraphs [0030]-[0031].

[0024] Regarding wildcards, Ingersoll teaches that when searching for transform entries, wildcards can be used in **the search**. Transform entries may optionally contain flags for special rules 603-608 (Ingersoll, ¶ [0030]). As suggested in this passage, Ingersoll merely suggests using wildcards in a search. In contrast, this claim recites that "the received data includes **wildcard data**". The claimed "wildcard data" is not analogous to the "wildcards in a search" as suggested by Ingersoll because the claimed "wildcard data" is included in received data as opposed to a wildcard used in a search. Furthermore, as shown above, Ingersoll suggests that wildcards are used to search transform entries. Ingersoll does not suggest "wildcard data that is **not specified** by the current version" as recited in this claim, because Ingersoll does not suggest that any transform entities are not specified. A search of Ingersoll's transform entities using a wildcard implies that the one or more transform entity being searched using the wildcard has been specified. If a wildcard search is performed for a transform entity that has not been specified, a most likely result from the search would be a null character or an empty set. Thus, Ingersoll does not make up for the deficiency of Stickler and Darugar, because Ingersoll does not disclose, teach or suggest the features of the "wildcard data" as recited in claim 1.

[0025] As shown above, the combination of Stickler, Darugar and Ingersoll does not teach or suggest all of the elements and features of this

claim. Therefore, the combination of Stickler, Darugar and Ingersoll does not render this claim obvious. Accordingly, Applicant respectfully asks the Examiner to withdraw the rejection of this claim.

Independent Claim 5

[0026] Applicant submits that the combination of Stickler, Darugar and Ingersoll does not teach or suggest at least the following elements and features as recited in this claim (in part, with emphasis added):

- "at least one optional data member to render the received data functional within the current version of the data structure *when optional data is absent from the received data*"
- "at least one construct to render the received data functional within the current version of the data structure *when the received data includes wildcard data that is* ***not specified by the current version of the data structure***"
- "at least one wildcard member that follows the delimiter to receive wildcard data received in accordance with a different version of the data structure"
- "wherein, the at least one optional data member and the at least one construct of the data structure are for receiving data formatted in accordance with the first version and for *presenting the received data in an arrangement defined by the data structure for validation by the device using the current version*"

[0027] For example, the combination of Stickler, Darugar and Ingersoll does not teach or suggest the "optional data member to render the received data functional … when optional data is absent" and the "construct to render the received data functional within the current version … when the received data includes wildcard data that is not specified by the current version" as recited in this claim. The Examiner has rejected these claim features (Action, p. 5) on substantially the same basis as in claim 1. Without needlessly repeating the reasons presented above in support of claim 1, the Applicant asserts that the combination of Stickler, Darugar and Ingersoll does not teach or suggest these features because their combination does not suggest the claimed features of the "optional data member … when optional data is absent" and the "wildcard data". Thus, the combination of Stickler, Darugar and Ingersoll does not teach or suggest all of the elements and features of this claim. Accordingly, the Applicant respectfully asks the Examiner to withdraw the rejection of this claim.

Amended Independent Claim 13

[0028] Applicant submits that the combination of Stickler, Darugar and Ingersoll does not teach or suggest at least the following elements as recited in this claim (in part, with emphasis added):

- "*overcoming compatibility issues* between a current generation of the type and other multiple generations of the type, the overcoming compatibility issues comprising:"
    - "*tolerating an absence of optional data* from the received data, when the data is received in accordance with a different generation of the type, wherein the *optional data comprises a data element known by and deemed optional by the current generation of the type*"
    - "*specifying*, in the current generation of the type, *a maximum number of times optional data is allowed* to appear in the received data"
    - "accepting an inclusion of extra data in the received data, when the data is received in accordance with another different generation of the type, wherein *the extra data comprises a data element unknown by the current generation of the type*"
    - "*specifying*, in the current generation of the type, *a maximum number of times extra data is allowed to appear* in the received data"
- "*validating* a message *by inserting data elements* in the received data *into a data structure of the current generation of the type*"

[0029] The Examiner has not previously considered all of the newly added features recited in this claim, as amended, and has not cited Stickler, Darugar or Ingersoll, alone or in combination, for all of these claim features. The Applicant asserts that these features recited in amended claim 13 are not found in Stickler, Darugar or Ingersoll, alone or in combination.

[0030] As to Stickler, it does not disclose the claimed features of, for example, "overcoming compatibility issues comprising: tolerating an absence of optional data … known by and deemed optional by the current generation of the type … specifying … a maximum number of times optional data is allowed … accepting an inclusion of extra data … unknown by the current generation of the type … specifying … a maximum number of times extra data is allowed" as recited in this claim, as amended. In contrast, Stickler suggests using metadata to define relationships between editorial sequences (Stickler, ¶ [0009] and [0011]). No aspect of Stickler suggests overcoming compatibility issues via tolerating an absence of known optional data, accepting unknown data, and specifying any number of known optional or unknown extra data elements.

[0031] Darugar does not make up for the deficiency of Stickler because Darugar suggests using a MAP component to facilitate the conversion of an input document having a given XML format to another XML document having a different XML format (Darugar, ¶ [0007]). Darugar also does not suggest that the MAP component overcomes compatibility issues between documents via tolerating an absence of known optional

data, accepting unknown extra data, and specifying any number of known optional or unknown extra data elements.

[0032] Ingersoll does not make up for the deficiencies of Stickler and Darugar because Ingersoll suggests using commonly accessible registries to transform electronic commerce documents among dissimilar interfaces (Ingersoll, Abstract and ¶ [0021]-[0025]). Ingersoll also does not suggest that the commonly accessible registries overcomes compatibility issues between documents via tolerating an absence of known optional data, accepting unknown extra data, and specifying any number of known optional or unknown extra data elements.

[0033] Thus, as shown above, the combination of Stickler, Darugar and Ingersoll does not teach or suggest all of the elements and features of this claim. Therefore, the combination of Stickler, Darugar and Ingersoll does not render this claim obvious. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Independent Claims 20 and 28

[0034] Applicant submits that the combination of Stickler, Darugar and Ingersoll does not teach or suggest at least the following elements as recited in claim 20 (in part, with emphasis added):

- "tolerating optional data missing from the received data, when the data is received according to a different type version"

[0035] Note that independent claim 28 recites, in part a "means for excusing optional data being absent from the received data, when the data is received according to a different generation of the type" which is substantively similar to the feature of "tolerating optional data missing from the received data, when the data is received according to a different type version" recited in claim 20. Therefore, the discussion presented below with respect to claim 20 is also applicable to the rejection of claim 28.

[0036] For example, the combination of Stickler, Darugar and Ingersoll does not teach or suggest "tolerating optional data missing from the received data, when the data is received according to a different type version" as recited in this claim. Regarding this claim feature, the Examiner relies on Stickler (Action, p. 11) and cites paragraphs [0009] and [0011].

[0037] In regard to this claimed feature, as discussed above regarding the discussion of claim 1, paragraphs [0009] and [0011] of Stickler suggest that identification provided by the metadata of the at least one entity corresponds to an indication of an editorial sequence or release comprising those entities within its scope each of which include metadata defining a position or version with the sequence (Stickler, ¶ [0009]). In contrast to the recitation of this claim, metadata that describes a sequence, release, position or scope of an entity is not analogous to "tolerating optional data missing … according to a different type version" because the metadata suggested by Stickler is neither "missing" nor "optional", but provides additional information pertaining to an associated entity.

[0038] Stickler also suggests that by defining versioning information within metadata, it permits the generation of a versioning model suited to a particular agent or user request (Stickler, ¶ [0011]). This generation of a versioning model, for example, as suggested by Stickler is not analogous to "tolerating optional data missing" because Stickler does not suggest that any "optional data missing" facilitates any aspect of the versioning model. Stickler also suggests that when a relationship exists between one or more editorial sequences, then a further entity indicative of a different release will contain within its metadata an indication of the source of that release (Stickler, ¶ [0009]). Stickler does not suggest "tolerating optional data missing", as recited in this claim, because Stickler does not suggest that the relationship between sequences is based on any tolerance of any missing "optional data".

[0039] In contrast, Stickler teaches that metadata is used to identify a sequential relationship between one or more entities within the scope of the one entity (Stickler, ¶ [0008]). Stickler does not tolerate "optional data missing" because Stickler suggests that metadata is used to identify relationships between entities. Thus, Stickler does not teach or suggest the features of "optional data missing" as recited in this claim.

[0040] For at least these reasons as shown above, the combination of Stickler, Darugar and Ingersoll does not teach or suggest all of the elements and features of claims 20 and 28. Therefore, the combination of Stickler, Darugar and Ingersoll does not render claims 20 and 28 obvious.

Accordingly, Applicant asks the Examiner to withdraw the rejection of these claims.

Dependent Claims

[0041] In addition to its own merits, each dependent claim is allowable for at least the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0042] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action**. Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC
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